

**UNITED STATE DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

ROXANA SABERI
c/o Gilbert LLP
1100 New York Avenue, NW
Suite 700
Washington, D.C. 20005

Plaintiff,

v.

THE GOVERNMENT OF THE
ISLAMIC REPUBLIC OF IRAN,
Its Ministries, Agencies, and Instrumentalities
c/o Ministry of Foreign Affairs
Imam Khomeini Avenue
P.O. Box 1136914811
Tehran, Iran

Defendant.

JURY DEMAND

Case No.: 19-1081

COMPLAINT

Plaintiff Roxana Saberi complains of the actions of the Defendant, The Government of the Islamic Republic of Iran, its Ministries, Agencies, and Instrumentalities, and states in support thereof as follows:

PARTIES

1. Plaintiff Roxana Saberi (“Ms. Saberi”) is a United States citizen. Ms. Saberi was falsely imprisoned and tortured for a period of months by Defendant The Government of the Islamic Republic of Iran, its Ministries, Agencies, and Instrumentalities (“Iran”).

2. Iran is a foreign sovereign that the Secretary of State of the United States designated as a state sponsor of terrorism on January 19, 1984. *See* 49 Fed. Reg. 2836-02 (Jan. 23, 1984) (citing 50 U.S.C. App. § 2405(j) (“The Export Administration Act of 1979”),

repealed and replaced by 50 U.S.C. § 4813(c)(3) (“The Export Control Reform Act of 2018”)).¹

Its activities as complained of herein are outside the scope of immunity provided by the Foreign Sovereign Immunities Act (“FSIA”), including 28 U.S.C. § 1605A.

JURISDICTION

3. The Court has jurisdiction pursuant to 28 U.S.C. §§ 1330 and 1331, and pursuant to the FSIA, 28 U.S.C. § 1605A.

4. Venue lies in this Court pursuant to 28 U.S.C. § 1391(f)(4).

5. Ms. Saberi was domiciled in the State of North Dakota at the time of her confinement and torture.

STATEMENT OF FACTS

6. Ms. Saberi was born in Belleville, New Jersey in 1977. Her parents are naturalized U.S. citizens who immigrated to the U.S. in 1973, her father from Iran and her mother from Japan. Her father has a graduate degree in English literature, and her mother is an M.D. with a specialty in pathology. Ms. Saberi and her older brother, Jasper, were raised in Fargo, North Dakota, where her parents continue to live today. Jasper has served in the United States Army since 2002, and he was deployed once to Iraq and twice to Afghanistan.

7. Ms. Saberi graduated *summa cum laude* in 1997 from Concordia College in Moorhead, Minnesota, with bachelor’s degrees in communications and French. She graduated *cum laude* from Northwestern University’s Medill School of Journalism in 1999 with a master’s degree in journalism, and from the University of Cambridge in 2000 with a master’s degree in international relations.

¹ See also *State Sponsors of Terrorism*, United States Department of State, <https://www.state.gov/j/ct/list/c14151.htm> (last visited Apr. 16, 2019).

8. In 2003, Ms. Saberi moved to Iran to open and run the Middle East bureau for a U.S.-based news agency, Feature Story News, which served clients such as PBS, NPR, and Fox News. In addition to her work, Ms. Saberi learned about her father's heritage by traveling within Iran and learning Farsi, her father's native language. As a citizen of both the United States and Iran, Ms. Saberi was able to move to Tehran and travel within the country.

9. When she began work as a correspondent, Ms. Saberi was issued official press credentials from Iran's Ministry of Culture and Islamic Guidance, which allowed her to attend and report on official events. She took several Farsi classes at the Dehkhoda International Center for Persian Studies, and later enrolled in the School of International Relations in Tehran, where she pursued graduate courses in Iranian studies and international relations.

10. Ms. Saberi had planned to stay in Iran for only one or two years, but she was so captivated by the country, its people, and the life she had established there that she stayed for six years.

11. In 2006, however, the Iranian authorities revoked Ms. Saberi's official press credentials without explanation. She considered leaving the country, but she had fallen in love with it, so she decided to stay. She began writing a book about life in Iran as seen through the eyes of a wide range of Iranians. For her research, she interviewed dozens of Iranians from different parts of society. In the meantime, she continued working as a freelance journalist throughout the region, reporting from the various places she traveled.

12. Ms. Saberi's life in Tehran took a drastic turn on January 31, 2009. That morning, four plainclothes Iranian intelligence agents forced their way into Ms. Saberi's apartment, sifted through her belongings, arrested her without warning, and told her that if she did not cooperate, they would take her immediately to Evin Prison—a Tehran jail notorious for

holding Iran's most famous political prisoners, and as the site of torture, hangings, and a mass execution.

13. The agents seized her phone, notebooks containing her work on the book, her laptop, the hard drive of her desktop computer, her Iranian passport, and her American passport, among other things. The agents forced Ms. Saberi into an awaiting vehicle and then took her to an unmarked building, where she was placed in a windowless room and interrogated for several hours.

14. Her interrogators focused their questions primarily on her book. They insisted she could not possibly be doing "so many interviews" only for a book and maintained that she was being paid to use it as a "cover" to gather intelligence for the United States Central Intelligence Agency ("CIA"). Their questions were relentless, and they would not accept her truthful answers—that she received no payment for the book and that she was not a spy for the CIA.

15. Dissatisfied that she would not concede and confess, the men took her straight to solitary confinement at Evin Prison, where she was forced to strip naked, submit to a search, and wear a blindfold. She was then placed in a roughly seven-foot by nine-foot concrete cell, which she later learned was within Evin's "Section 209," a section notorious for holding Iran's political prisoners and subjecting them to torture.

16. On February 1, 2009, she was taken before a Magistrate Judge at a Revolutionary Court in Tehran and charged with "acting against Iran's national security," which she denied. She was instructed that she could speak to a lawyer only after her interrogation was complete and that the interrogation could last "maybe one week, maybe one month, maybe longer. It depends

when your interrogators are satisfied with your answers.” The Magistrate instructed the guard to return Ms. Saberi to Evin Prison.

17. Ms. Saberi remained in solitary confinement for two weeks. A bright light was kept on 24 hours a day to invoke sleeplessness and sensory deprivation. The cell was cold, dirty, and infested with ants. Ms. Saberi was forced to sleep on frayed military blankets on a cement floor that was covered with a thin, worn-out carpet. She was given no paper, pen, or books, except the Koran, and she had no way of telling time. Ms. Saberi was permitted to leave her cell only to use the bathroom down the hall and, later, for 20 minutes, three days a week, to walk in circles in a small yard with concrete walls and rails crisscrossing overhead. Except for her interrogation sessions and brief encounters with the guards, she had no human contact.

18. Ms. Saberi was never permitted to inform her loved ones about what had happened to her, leading them to believe for the first 12 days of her incarceration that she had been either kidnapped or killed. The first two occasions she was permitted to make phone calls, she was forbidden from telling the truth about her whereabouts or her imprisonment. Iran did not inform Ms. Saberi’s parents of where or why it was holding Ms. Saberi (and only revealed her location on March 3—31 days after her arrest).

19. As a journalist covering Iran, Ms. Saberi was painfully aware of the fate that had befallen other political detainees in Evin Prison, such as Iranian-Canadian journalist Zahra Kazemi, who had been declared dead shortly after her arrest in 2003. According to the doctor who examined Ms. Kazemi’s corpse and escaped Iran to disclose his findings, Ms. Kazemi had been raped, her nose broken, and her skull fractured.²

² Committee to Protect Journalists, *Doctor Says Journalist in Iranian Custody Was Tortured and Raped Before Her Death* (Apr. 1, 2005, 12:00 PM ET), <https://cpj.org/2005/04/doctor-says-journalist-in-iranian-custody-was-tort.php>; *Canadian Tortured for Days, Says Iranian Doctor*, CBC News, Apr. 1, 2005, <https://www.cbc.ca/news/canada/canadian-tortured-for-days-says-iranian-doctor-1.550471>.

20. Ms. Saberi was interrogated for several days, each time for hours on end. During these sessions, Ms. Saberi's male interrogators—who numbered at least four—sat her at a school desk, blindfolded and facing the wall, while they stood behind her, hammering her with questions in Farsi. Although Ms. Saberi had learned conversational Farsi, her familiarity with the language was not sufficient to withstand this questioning or to express adequate responses under interrogation conditions. The thick, padded door to the interrogation room could not mask the sounds of the screams from other prisoners who she believed were being physically tortured nearby. Ms. Saberi feared that physical torture was imminent and that the agents might kill her and deny they ever saw her, as they threatened on numerous occasions. With “agents all over the world,” they also threatened to find her family in the United States. This “white torture”—a form of psychological torture involving a loss of personal identity through intimidation, manipulation, and prolonged periods of isolation—is a tactic known to be used by Iranian intelligence, particularly against political prisoners held in Evin Prison.

21. Ms. Saberi was repeatedly told that if she “cooperated” and confessed to spying for the CIA, she would soon be released. She was told that if she did not, she would stay in Evin Prison for 20 years. Her interrogators also repeatedly reminded Ms. Saberi that under Iranian law, espionage could result in execution. Ms. Saberi was told that she would continue to be interrogated for as long as it took unless and until she confessed to being a spy.

22. Although much of the questioning focused on Ms. Saberi's book as a cover for her supposed involvement with the CIA, the agents also insulted Ms. Saberi's character, criticized her journalism work (including allegations that some of her reports for Fox News—“an arm of the Pentagon,”—contained “analysis” that helped the CIA), and taunted her about her personal and professional life. On one occasion, her male interrogators delighted in running

through a long list of what they claimed were Ms. Saberi's romantic partners, pressing her to falsely admit to having sex with a number of men—in writing and on camera.

23. Having suffered relentless threats, interrogations, and psychological abuse, Ms. Saberi ultimately broke under her captors' pressures and capitulated in the hope of being released and reunited with her family and friends, as they had promised. A strong-willed, highly principled woman of faith, Ms. Saberi was deeply shamed by her false confession.

24. Ms. Saberi was forced to recount her false confession repeatedly and to recite it on camera not once, but four times, for the Iranian Intelligence Ministry. In addition, Ms. Saberi was threatened not to tell anyone about her arrest and imprisonment, and she was forced to agree to work as a spy for the Iranian Intelligence Ministry upon her release. Even after confessing, she was told that if she leaked any information regarding her incarceration, upon release, her interrogators would find and kill her, making it "look like a car accident." On another occasion, her chief interrogator pledged to "personally sign" her "death warrant" if she spoke out.

25. On Sunday, March 8, 2009, after 36 days in prison, Ms. Saberi was again taken to the Revolutionary Court to appear before the Magistrate. He expressed interest in visiting the State of Ohio and hinted that he could free her in exchange for a visa to the United States. He also asked her to repeat her "confession" in writing. Instead, she recanted her false confession.

26. As she was escorted out of the Magistrate's office, Ms. Saberi encountered a lawyer who said he had been hired on her behalf. She learned that the story of her wrongful detention was being reported by the international news media, though she did not learn until later that it had caused an international uproar and that her treatment was widely being labeled a violation of basic human rights. Secretary of State Hillary Clinton called for Ms. Saberi's immediate release, raising questions over Iran's legal process and stating that Iran appeared

“impervious” to human rights concerns and “civilized standards.”³ Although Ms. Saberi was grateful for the public outcry over her imprisonment, the Iranian Intelligence Ministry was not pleased with this publicity.

27. Later that night, on March 8, Ms. Saberi recanted the false confession to her main interrogator, who then admitted to her, “We knew from the very beginning that it was a lie.”

28. On March 9, Ms. Saberi was taken back to the Revolutionary Court, where she met Tehran’s deputy prosecutor for security affairs and again recanted her false confession. He told her that although he had planned to free her, he now planned to keep her at Evin for one or two years. His assistant also wanted Ms. Saberi to go on camera to “criticize the U.S.,” but she refused. She later learned that the prosecutor, named Haddad (also known as Hassan Zare Dehnavi), was second-in-command under the prosecutor general Saeed Mortazavi—the man human rights activists held responsible for Iranian-Canadian journalist Zahra Kazemi’s death, nicknamed by Iranians as the “Torturer of Tehran” and the “Butcher of the Press.” Indeed, the United States and the European Union have imposed sanctions on Mortazavi for his human rights violations, and the European Union has imposed such sanctions on both men.⁴

29. Sometime in March, Ms. Saberi was told by a prison guard that she would be released on a \$1 million bail. The interrogations continued.

30. On Thursday, April 9, 2009, Ms. Saberi was allowed to call her father, and he told her that she was set to go on trial for espionage the following week.

³ See, e.g., Sue Pleming, *Clinton Says Jailed Reporter on Hunger Strike*, Reuters, Apr. 30, 2009, <https://www.reuters.com/article/us-iran-journalist-clinton/clinton-says-jailed-reporter-on-hunger-strike-idUSTRE53T52I20090430>; Henry Newman and CoCo Ferguson, *Iran Must Free Roxana Saberi*, The Guardian, Mar. 25, 2009, <https://www.theguardian.com/commentisfree/2009/mar/24/iran-usa>.

⁴ See, e.g., Center for Human Rights in Iran, *EU Finalizes Sanctions for 32 Individuals in Iranian Government Who Violated Human Rights* (Apr. 15, 2011), <https://www.iranhumanrights.org/2011/04/eu-sanctions-officials/>; *Fact Sheet: New Executive Order Targeting Iranian Officials Responsible for or Complicit in Serious Human Rights Abuses*, United States Department of the Treasury (Sept. 29, 2010), <https://www.treasury.gov/press-center/press-releases/Pages/tg877.aspx>.

31. That Sunday, April 12, 2009, 71 days after being arrested, Ms. Saberi was taken back to the Revolutionary Court. She met her lawyer there, and he informed her that he had just obtained her file that day. She also spoke to the judge, who made clear that he presumed her guilt, asking her questions such as, “How could you agree to spy for the U.S.? Don’t you care about the Islamic Republic?” The judge also granted her attorney’s request to postpone the trial for two weeks.

32. Despite this, the trial took place the next day. Ms. Saberi had not had a chance to discuss her case with her attorney ahead of the trial, and she did not realize that the trial had begun until several minutes after it started. The trial lasted roughly 30 minutes and was closed to the public, the press, and her parents, who had traveled to Iran to support Ms. Saberi. The Swiss, who represent U.S. interests in Iran, were also denied access to the trial and to Ms. Saberi, as they were throughout her incarceration, despite several requests. The judge clearly took the side of the prosecuting team and Intelligence Ministry, who offered no witnesses or evidence—other than her false confession, which she continued to recant—to support the fabricated accusations against her. Ms. Saberi’s attorney—who had told her he was “under pressure” by the authorities—hardly uttered a word, and she had to try to defend herself in Farsi.

33. On Saturday, April 18, 2009, Ms. Saberi was convicted and sentenced to eight years in prison. She signed the notice of her conviction but also wrote, “I object,” because she was not given due process. The judge granted her 20 days to appeal the verdict.

34. To protest her wrongful conviction, Ms. Saberi felt she was left with no alternative than to go on a hunger strike on April 20.

35. That same day, Ms. Saberi was permitted to meet briefly with her parents, but the meeting was moderated and carefully supervised by her main interrogator, who previously led

the brunt of the attacks against Ms. Saberi. He ordered Ms. Saberi to speak only in Farsi, which her mother did not understand well, despite the fact that he himself was practically fluent in English. Although Ms. Saberi had hoped to speak with her parents about her case, her interrogator launched into a diatribe in Farsi directed at Ms. Saberi's father, wherein he warned him of the risk of his and the media's involvement in the case, threatening that it could do more harm than good. Ms. Saberi's interrogator stated that "the Islamic Republic had gone its own way for the past thirty years and did not care what the foreign media said about it," reminded Ms. Saberi's parents that they were in Iran as Iranian citizens, and warned them that "God forbid a problem might arise" during their stay if they continued engaging the press. Such threats, as well her parents' anxiety over her incarceration and their health problems (Ms. Saberi's father suffered from high blood pressure and had undergone quadruple bypass heart surgery a few years earlier) deepened Ms. Saberi's own distress.

36. By April 23, the fourth day of her hunger strike, Ms. Saberi had already lost at least ten pounds, and her weight had plummeted to 104 pounds. Ms. Saberi was taken back to the Revolutionary Court, where she was again questioned and taunted by Haddad, the "Torturer of Tehran's" deputy prosecutor. He warned that if she retained any of the three Iranian human rights attorneys she requested, he would see to it that she would not be released. Faced with that threat, she had to work with the two attorneys he found acceptable.

37. As her hunger strike continued, Ms. Saberi's parents implored her to stop because they feared she would die. Ms. Saberi concluded her hunger strike two weeks after it began, on May 4, 2009. She had lost more than fifteen pounds.

38. Six days later, her appellate trial began. This time, Ms. Saberi's trial lasted around four hours. Her new, second lawyer was not provided with her file in advance of the

trial, nor was she permitted to discuss her case with him until a few minutes before the trial started. The trial was again conducted behind closed doors. As with the first trial, the Swiss and Ms. Saberi's parents were not permitted to attend.

39. The next day, on May 11, 2009, the Iranian appeals court delivered its decision. The court reduced Ms. Saberi's sentence to a two-year suspended sentence and banned Ms. Saberi from journalism in Iran for the next five years. She was released later that day.

40. On May 14, the Iranian state-run broadcaster reported that the "Iranian Intelligence Ministry says that despite being released, Iranian-American journalist Roxana Saberi was proven to be involved in acts of espionage."⁵

41. Ms. Saberi and her parents flew out of Iran that night.

42. Ms. Saberi's confinement caused her severe and extreme psychological distress, both during and after her imprisonment. For approximately three years following her release, Ms. Saberi suffered from extreme guilt and shame and had suicidal thoughts. This was one reason that during that time, she was unable to return to working as a full-time journalist. She has also grappled with Iran's attempts to destroy her reputation by fabricating an accusation that, before her arrest, she had obtained a classified document.

43. Ms. Saberi has suffered and continues to suffer from post-traumatic stress disorder, periods of depression and anxiety, nightmares, and other lasting psychological damage from her captivity and torture. Even now, she often fears that Iranian intelligence agents are following and monitoring her, particularly because she has received threatening e-mails in Farsi and because her e-mail account has been hacked more than once. She will forever mourn the

⁵ Robert Mackey, *Roxana Saberi Arrives in Vienna from Iran*, N.Y. Times: The Lede (May 14, 2009, 9:34 PM), <https://thelede.blogs.nytimes.com/2009/05/14/roxana-saberi-leaves-iran/>.

loss of a land she had come to love, as well the close relationships she had established with her friends and relatives there, many of whom Iranian officials forced to cut ties with her.

44. Ms. Saberi still suffers from the financial effects of her experience, including tuition lost for the master's degree she was unable to complete because of her imprisonment, losses incurred from having to sell her apartment in Tehran at a below-market rate to avoid confiscation by Iranian authorities, and losses from an inability to return to her pre-incarceration professional capacity in Iran.

COUNT I

(PERSONAL INJURIES CAUSED BY TORTURE AND HOSTAGE-TAKING: 28 U.S.C. § 1605A)

45. Paragraphs 1 through 44 above are incorporated as if set forth herein.

46. Ms. Saberi was a citizen of the United States when arrested and held unlawfully by Iran. While being held, Ms. Saberi was tortured as described herein.

47. Anti-terrorism provisions codified at 28 U.S.C. § 1605A(a) establish a federal right of action against Iran for committing acts of hostage-taking and torture.

48. Section 1605A provides four elements for a claim against a foreign state, all of which are met here:

- a. That defendant be designated as a state sponsor of terrorism;
- b. That claimant be a national of the United States;
- c. That the foreign country must be given reasonable opportunity to arbitrate that claim if the conduct took place on foreign soil; and
- d. That the personal injury is alleged to have been caused by “an act of torture, extrajudicial killing, aircraft sabotage, hostage taking, or the provision of material support or resources for such an act.”

49. Iran was designated a state sponsor of terrorism by the Secretary of State on January 19, 1984. *See* 49 Fed. Reg. 2836-02 (Jan. 23, 1984).

50. Ms. Saberi was a citizen of the United States at the time of her imprisonment and torture.

51. The definition of “torture” under the FSIA, derived from Section 3 of the Torture Victim Protection Act of 1991 (“TVPA”), Pub. L. No. 102-256, 106 Stat. 73 (Mar. 12, 1992), codified at 28 U.S.C. § 1350 (note), includes:

[A]ny act, directed against an individual in the offender’s custody or physical control, by which severe pain or suffering (other than pain or suffering arising only from or inherent in, or incidental to, lawful sanctions), whether physical or mental, is intentionally inflicted on that individual for such purposes as obtaining from that individual or a third person information or a confession, punishing that individual for an act that individual or a third person is committed or is suspected of having committed, intimidating or coercing that individual or a third person, or for any reason based on discrimination of any kind

52. While Ms. Saberi was in Iran’s custody and control, Iran intentionally subjected Ms. Saberi to 100 days of pain and suffering, including solitary confinement, sleep and sensory deprivation, mental abuse, and threats, all with the intent to obtain a false confession, pressure her to spy for Iran, and coerce her cooperation. Iran’s conduct constitutes torture as defined under the FSIA.

53. “Hostage-taking” under the FSIA, 28 U.S.C. § 1605A(h)(2), as derived from Article 1 of the International Convention Against the Taking of Hostages, Dec. 17, 1979, 1316 U.N.T.S. 205, is defined as follows:

Any person who seizes or detains and threatens to kill, to injure or to continue to detain another person (hereinafter referred to as the “hostage”) in order to compel a third party, namely, a State, an international intergovernmental organization, a natural or juridical person, or a group of persons, to do or abstain from doing any act as an explicit or implicit condition for the release of the hostage commits the offence of taking of hostages (“hostage-taking”) within the meaning of the Convention.

54. Iran detained Ms. Saberi on false espionage charges and threatened to kill, injure, and continue to detain Ms. Saberi in an attempt to win money or other concessions from the United States. Iran's conduct was hostage-taking as defined under the FSIA.

55. A foreign state is held vicariously liable for the acts of its officials, employees, or agents. 28 U.S.C. § 1605A(c)(4).

56. Ms. Saberi continues to suffer psychological harm to this day as a result of her hostage-taking and torture by Iran.

COUNT II

(§ 1605A(c) CAUSE OF ACTION – ASSAULT AND BATTERY)

57. Paragraphs 1 through 56 above are incorporated as if set forth herein.

58. Iran committed or is responsible for numerous acts of assault and battery upon Ms. Saberi during her confinement and torture.

59. Under the FSIA, a foreign state stripped of its immunity "shall be liable in the same manner and to the same extent as a private individual under like circumstances." 28 U.S.C. § 1606.

60. Iran is stripped of its immunity under the FSIA because of its acts of hostage-taking and torture, and is therefore liable for torts in the same manner and to the same extent as a private individual.

61. Iran applied force to the person of Ms. Saberi and took actions reasonably tending to create the apprehension of Ms. Saberi that it was about to apply such force to her. Iran also intended harmful or offensive contact with Ms. Saberi without her consent. Iran's conduct included intentionally and repeatedly threatening Ms. Saberi's life.

COUNT III

**(§ 1605A(c) CAUSE OF ACTION – INTENTIONAL
INFLICTION OF EMOTIONAL DISTRESS)**

62. Paragraphs 1 through 61 above are incorporated as if set forth herein.

63. Iran's use of solitary confinement, sleep and sensory deprivation, threats, mental abuse, and restrictions of Ms. Saberi's contact with her family was intentional, reckless, extreme, and outrageous, and caused Ms. Saberi severe emotional distress.

64. Iran's treatment of Ms. Saberi violated acceptable norms of treatment under both U.S. and international law and was also for that reason extreme and outrageous.

65. Iran's actions left Ms. Saberi severely emotionally and psychologically damaged for several years.

COUNT IV

(§ 1605A(c) CAUSE OF ACTION – FALSE IMPRISONMENT)

66. Paragraphs 1 through 65 above are incorporated as if set forth herein.

67. Ms. Saberi was deprived of liberty without cause and without legal justification. Iran held Ms. Saberi despite knowledge that it had no basis to do so.

PRAYER FOR RELIEF

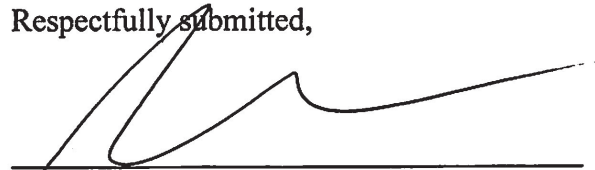
1. As a result of the personal injuries she has suffered due to acts of torture and hostage-taking, Ms. Saberi is entitled to economic damages and compensatory damages for pain and suffering, all of which are recoverable under the FSIA. 28 U.S.C. § 1605A.

2. In addition to all appropriate compensatory damages, Ms. Saberi is entitled to punitive damages because Iran's acts were intentional, malicious, and performed deliberately to injure, damage, and harm Ms. Saberi.

3. Ms. Saberi further seeks costs, attorneys' fees, and such other relief as may be just and proper, including pre-judgment interest.

Dated: April 17, 2019

Respectfully submitted,



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CIVIL COVER SHEET

JS-44 (Rev. 6/17 DC)

I. (a) PLAINTIFFS ROXANA SABERI (b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF _____ (EXCEPT IN U.S. PLAINTIFF CASES)	DEFENDANTS THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF IRAN, Its Ministries, Agencies, and Instrumentalities COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT _____ (IN U.S. PLAINTIFF CASES ONLY) <small>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED</small>
(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER) Scott D. Gilbert, Mark A. Packman, Samantha R. Miller Gilbert LLP 1100 New York Avenue, NW Suite 700 Washington, DC 20005 202-772-2200	ATTORNEYS (IF KNOWN)

II. BASIS OF JURISDICTION (PLACE AN x IN ONE BOX ONLY) <div style="display: flex; justify-content: space-between;"> <div style="width:48%;"> <input type="radio"/> 1 U.S. Government Plaintiff </div> <div style="width:48%;"> <input checked="" type="radio"/> 3 Federal Question (U.S. Government Not a Party) </div> </div> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div style="width:48%;"> <input type="radio"/> 2 U.S. Government Defendant </div> <div style="width:48%;"> <input type="radio"/> 4 Diversity (Indicate Citizenship of Parties in item III) </div> </div>	III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN x IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT) FOR DIVERSITY CASES ONLY! <table style="width:100%; font-size: small;"> <thead> <tr> <th></th> <th style="text-align: center;">PTF</th> <th style="text-align: center;">DFT</th> <th></th> <th style="text-align: center;">PTF</th> <th style="text-align: center;">DFT</th> </tr> </thead> <tbody> <tr> <td>Citizen of this State</td> <td style="text-align: center;"><input type="radio"/> 1</td> <td style="text-align: center;"><input type="radio"/> 1</td> <td>Incorporated or Principal Place of Business in This State</td> <td style="text-align: center;"><input type="radio"/> 4</td> <td style="text-align: center;"><input type="radio"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input checked="" type="radio"/> 2</td> <td style="text-align: center;"><input type="radio"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="radio"/> 5</td> <td style="text-align: center;"><input type="radio"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="radio"/> 3</td> <td style="text-align: center;"><input type="radio"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="radio"/> 6</td> <td style="text-align: center;"><input checked="" type="radio"/> 6</td> </tr> </tbody> </table>		PTF	DFT		PTF	DFT	Citizen of this State	<input type="radio"/> 1	<input type="radio"/> 1	Incorporated or Principal Place of Business in This State	<input type="radio"/> 4	<input type="radio"/> 4	Citizen of Another State	<input checked="" type="radio"/> 2	<input type="radio"/> 2	Incorporated and Principal Place of Business in Another State	<input type="radio"/> 5	<input type="radio"/> 5	Citizen or Subject of a Foreign Country	<input type="radio"/> 3	<input type="radio"/> 3	Foreign Nation	<input type="radio"/> 6	<input checked="" type="radio"/> 6
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Citizen of this State	<input type="radio"/> 1	<input type="radio"/> 1	Incorporated or Principal Place of Business in This State	<input type="radio"/> 4	<input type="radio"/> 4																				
Citizen of Another State	<input checked="" type="radio"/> 2	<input type="radio"/> 2	Incorporated and Principal Place of Business in Another State	<input type="radio"/> 5	<input type="radio"/> 5																				
Citizen or Subject of a Foreign Country	<input type="radio"/> 3	<input type="radio"/> 3	Foreign Nation	<input type="radio"/> 6	<input checked="" type="radio"/> 6																				

IV. CASE ASSIGNMENT AND NATURE OF SUIT

(Place an X in one category, A-N, that best represents your Cause of Action and one in a corresponding Nature of Suit)

<input type="radio"/> A. Antitrust <input type="checkbox"/> 410 Antitrust	<input type="radio"/> B. Personal Injury/Malpractice <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Medical Malpractice <input type="checkbox"/> 365 Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Product Liability	<input type="radio"/> C. Administrative Agency Review <input type="checkbox"/> 151 Medicare Act <u>Social Security</u> <input type="checkbox"/> 861 HIA (1395m) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <u>Other Statutes</u> <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 890 Other Statutory Actions (If Administrative Agency is Involved)	<input type="radio"/> D. Temporary Restraining Order/Preliminary Injunction Any nature of suit from any category may be selected for this category of case assignment. *(If Antitrust, then A governs)*
<input checked="" type="radio"/> E. General Civil (Other) OR <input type="radio"/> F. Pro Se General Civil			
<u>Real Property</u> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent, Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property <u>Personal Property</u> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<u>Bankruptcy</u> <input type="checkbox"/> 422 Appeal 27 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <u>Prisoner Petitions</u> <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Conditions <input type="checkbox"/> 560 Civil Detainee – Conditions of Confinement <u>Property Rights</u> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent – Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark	<u>Federal Tax Suits</u> <input type="checkbox"/> 870 Taxes (US plaintiff or defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609 <u>Forfeiture/Penalty</u> <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <u>Other Statutes</u> <input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 430 Banks & Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation	<input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions <input type="checkbox"/> 470 Racketeer Influenced & Corrupt Organization <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Satellite TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes <input checked="" type="checkbox"/> 890 Other Statutory Actions (if not administrative agency review or Privacy Act)

<input type="radio"/> G. Habeas Corpus/ 2255 <input type="checkbox"/> 530 Habeas Corpus – General <input type="checkbox"/> 510 Motion/Vacate Sentence <input type="checkbox"/> 463 Habeas Corpus – Alien Detainee	<input type="radio"/> H. Employment Discrimination <input type="checkbox"/> 442 Civil Rights – Employment (criteria: race, gender/sex, national origin, discrimination, disability, age, religion, retaliation) <i>*(If pro se, select this deck)*</i>	<input type="radio"/> I. FOIA/Privacy Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 890 Other Statutory Actions (if Privacy Act) <i>*(If pro se, select this deck)*</i>	<input type="radio"/> J. Student Loan <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (excluding veterans)
<input type="radio"/> K. Labor/ERISA (non-employment) <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 740 Labor Railway Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="radio"/> L. Other Civil Rights (non-employment) <input type="checkbox"/> 441 Voting (if not Voting Rights Act) <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 445 Americans w/Disabilities – Employment <input type="checkbox"/> 446 Americans w/Disabilities – Other <input type="checkbox"/> 448 Education	<input type="radio"/> M. Contract <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholder's Suits <input type="checkbox"/> 190 Other Contracts <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<input type="radio"/> N. Three-Judge Court <input type="checkbox"/> 441 Civil Rights – Voting (if Voting Rights Act)

V. ORIGIN
☒ 1 Original Proceeding
 ☐ 2 Removed from State Court
 ☐ 3 Remanded from Appellate Court
 ☐ 4 Reinstated or Reopened
 ☐ 5 Transferred from another district (specify)
 ☐ 6 Multi-district Litigation
 ☐ 7 Appeal to District Judge from Mag. Judge
 ☐ 8 Multi-district Litigation – Direct File

VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE.)

VII. REQUESTED IN COMPLAINT

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 ☐

DEMAND \$ 9999

JURY DEMAND: YES ☒ NO ☐

Check YES only if demanded in complaint
 YES ☒ NO ☐

VIII. RELATED CASE(S) IF ANY

(See instruction)

YES ☐ NO ☒

If yes, please complete related case form

DATE: 4/17/2019

SIGNATURE OF ATTORNEY OF RECORD

INSTRUCTIONS FOR COMPLETING CIVIL COVER SHEET JS-44
 Authority for Civil Cover Sheet

The JS-44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and services of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. Listed below are tips for completing the civil cover sheet. These tips coincide with the Roman Numerals on the cover sheet.

- I. COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF/DEFENDANT (b) County of residence: Use 11001 to indicate plaintiff if resident of Washington, DC, 88888 if plaintiff is resident of United States but not Washington, DC, and 99999 if plaintiff is outside the United States.
- III. CITIZENSHIP OF PRINCIPAL PARTIES: This section is completed only if diversity of citizenship was selected as the Basis of Jurisdiction under Section II.
- IV. CASE ASSIGNMENT AND NATURE OF SUIT: The assignment of a judge to your case will depend on the category you select that best represents the primary cause of action found in your complaint. You may select only one category. You must also select one corresponding nature of suit found under the category of the case.
- VI. CAUSE OF ACTION: Cite the U.S. Civil Statute under which you are filing and write a brief statement of the primary cause.
- VIII. RELATED CASE(S), IF ANY: If you indicated that there is a related case, you must complete a related case form, which may be obtained from the Clerk's Office.

Because of the need for accurate and complete information, you should ensure the accuracy of the information provided prior to signing the form.

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

Roxana Saberi

Plaintiff

v.

The Government of the Islamic Republic of Iran

Defendant

Civil Action No. 19-1081

SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)*

THE GOVERNMENT OF THE ISLAMIC REPUBLIC OF IRAN,
Its Ministries, Agencies, and Instrumentalities
c/o Ministry of Foreign Affairs
Imam Khomeini Avenue
P.O. Box 1136914811
Tehran, Iran

A lawsuit has been filed against you.

Within 60 days after service of this summons on you (not counting the day you received it) you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Scott D. Gilbert
Mark A. Packman
Samantha R. Miller
Gilbert LLP
1100 New York Avenue, NW
Suite 700
Washington, DC 20005

If you fail to respond, judgment by default may be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

ANGELA D. CAESAR, CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

Civil Action No. 19-1081

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* _____
 was received by me on *(date)* _____.

☐ I personally served the summons on the individual at *(place)* _____
 _____ on *(date)* _____; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* _____
 _____, a person of suitable age and discretion who resides there,
 on *(date)* _____, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* _____, who is
 designated by law to accept service of process on behalf of *(name of organization)* _____
 _____ on *(date)* _____; or

☐ I returned the summons unexecuted because _____; or

☐ Other *(specify)*: _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc: